

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al., :
Plaintiffs, :
 :
vs. : C.A. No. 04-312L
 :
JEFFREY DERDERIAN, et al., :
Defendants. :

NOTICE OF SETTLEMENT
SEALED AIR CORPORATION
AND
SEALED AIR CORPORATION (US)

Counsel for the Gray Plaintiffs¹ and counsel for Defendants Sealed Air Corporation and Sealed Air Corporation (US) wish to advise the Court that a settlement in principle has been reached for consideration of 25 Million (\$25,000,000.00) Dollars. Payment of this sum constitutes an agreement by all undersigned parties that all claims among or between them are resolved by this settlement.

Plaintiffs' counsel in all pending Station Fire Cases² have agreed to this settlement of claims against these Defendants, which settlement is expressly subject to: (1) approval of all Plaintiffs; (2) execution of mutually acceptable

¹ All Plaintiffs represented by counsel in Gray, et al. v. Derderian, et al., C.A. No. 04-312L and Napolitano, et al. v. Derderian, et al., C.A. No. 06-080L as indicated by the signatures of counsel.

² All Station Fire Plaintiffs in the cases of Gray, et al. v. Derderian, et al., C.A. No. 04-312L; Napolitano, et al. v. Derderian, et al., C.A. No. 06-080L; Passa, et al. v. Derderian, et al., C.A. No. 03-148L; Kingsley, et al. v. Derderian, et al., C.A. No. 03-208L; Guindon, et al. v. American Foam Corp., et al., C.A. No. 03-335L and Guindon, et al. v. Derderian, et al., C.A. No. 07-366; Henault, et al. v. American Foam Corp., et al., C.A. No. 03-483L; Roderiques, et al. v. American Foam Corp., et al., C.A. No. 04-026L; Sweet, et al. v. American Foam Corp., et al., C.A. No. 04-056L; Paskowski, et al. v. Derderian, et al., C.A. No. 05-002L; Kolasa v. American Foam Corp., et al., C.A. No. 05-070L; Long v. American Foam Corporation, C.A. No. 06-047L; Malagrino v. American Foam Corp., et al., C.A. No. 06-002L; and Gonsalves v. Derderian, et al., C.A. No. 06-076L.

release and indemnity agreements by all Plaintiffs, which shall include satisfactory release and indemnification language preserving plaintiffs' claims against, and protecting the settling defendants against cross claims from, the non-settling defendants; (3) approval of this settlement by the Court; (4) approval by this Court of the allocation plan being developed by the Special Master; (5) successful defense to any challenge to the constitutionality of the Rhode Island Uniform Contribution Among Joint Tortfeasors Act (R.I.G.L. § 10-6-2, et. seq.), as amended; and, (6) deposit of settlement funds into a qualified 468B settlement trust, which will be approved by the Court if necessary.

Plaintiffs #13d and e, #17 through #63, inclusive, #133 through #190, inclusive, #225 through #233, inclusive, # 240, and #251 through #257, inclusive, and the Napolitano plaintiffs,
By their Attorneys,

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CERTIFICATION

I hereby certify that an exact copy of the within document was electronically submitted to the Electronic Case Filing System of the United States District Court for its distribution to all counsel of record and a copy was electronically mailed to *pro se* defendant on this 13th day of June, 2008.

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